

HAND BALDACHIN & AMBURGEY LLP

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SCHUTTE BAGCLOSURES INC.,)
)
Plaintiff,)
)
v.)
)
KWIK LOK CORPORATION,)
)
Defendant.)

)
KWIK LOK CORPORATION,)
)
Counterclaim Plaintiff)
)
v.)
)
SCHUTTE BAGCLOSURES INC., and)
SCHUTTE BAGCLOSURES B.V.,)
)
Counterclaim Defendants)

)

Case No. 12-cv-5541 (JGK)

**NOTICE OF MOTION IN SUPPORT OF PLAINTIFF SCHUTTE BAGCLOSURES
INC.'S MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that upon the annexed Declaration of Carl M.R. van der Zandt, dated May 23, 2014, the accompanying Memorandum of Law, and upon all of the pleadings and proceedings heretofore and herein, Schutte Bagclosures Inc., by and through its

counsel, will move this Court before the Honorable Judge John G. Koeltl, United States District Judge, United States District Court for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 12B, New York, New York, on July 21, 2014, at 9:00 a.m. or as soon thereafter as the matter may be heard for an Order, pursuant to Federal Rule of Civil Procedure 56, granting plaintiff Schutte Bagclosures Inc. summary judgment on all its declaratory and cancellation claims, and all of defendant Kwik Lok Corporation's counterclaims, and granting such other relief as the Court deems just and proper ("Motion for Summary Judgment").

PLEASE TAKE FURTHER NOTICE, should the Court deny plaintiff Schutte Bagclosure Inc.'s request for an extension in the page limit for the Memorandum of Law, as requested by letter correspondence and filed on ECF on May 22, 2014, we respectfully request the Court grant us three days to amend the submitted brief.

Dated: May 23, 2014
New York, New York

Respectfully submitted,

/s/ Carl M.R. van der Zandt
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